MONTANA LEGISLATIVE HISTORY

Chapter 523 19 97

Bill H 547 S _____ Original bill & history ✓ C

H. Committee on Fish Wildlife			S. Committee on Fish & Game		
Hearing Date(s)	2-18	✓ C	Hearing Date(s)	3/11	✓ C
		C		3/13	✓ C
		C			C
Free Conf.	4-16	✓ C			C
Date Out		C			

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

LEGISLATIVE HISTORIES

The 1997 Montana Legislature dramatically changed the nature of legislative minutes. This altered format continues with the 1999 legislative minutes. The minutes from House committees are extremely sparse in content, offering no substantive information from which to glean legislative intent. The Senate committees' minutes are fuller in content.

Exhibits, which include written statements, attendent information, roll call votes, roll call attendance, a list of those from the public who were present, and specific action taken on legislative bills, will be available only through the Historical Society Archives, 444-4774, and from a CD-ROM produced by the Legislative Services Division, 444-3064.

Just as in the 1997 legislative session, the 1999 House and Senate committee hearings were recorded. For information on accessing the tapes, or purchasing them, contact the Archives, 444-4774.

If you have concerns over the format of these legislative minutes, it is suggested that you contact your state legislators.

3/28	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
4/04	2ND READING CONCURRED AS AMENDED	37	13
4/07	3RD READING CONCURRED	34	16
	RETURNED TO HOUSE WITH AMENDMENTS		
4/12	2ND READING AMENDMENTS CONCURRED	95	0
4/14	3RD READING CONCURRED AS AMENDED	91	8
4/20	SIGNED BY SPEAKER		
4/24	SIGNED BY PRESIDENT		
4/25	TRANSMITTED TO GOVERNOR		
5/05	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 541		
	EFFECTIVE DATE: 05/05/97		

HB 547 INTRODUCED BY REHBEIN, ET AL. *LC0872 DRAFTER: KURTZ*

REQUIRE THAT THE PROCEEDS, LESS COSTS, FROM THE SALE OF GAME ANIMAL MEAT SEIZED FROM A PERSON FOUND GUILTY OF ILLEGALLY KILLING A WILD ANIMAL OR GAME ANIMAL BE STATUTORILY APPROPRIATED TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR THE PURPOSES OF AWARDING GRANTS TO THE MONTANA FOOD BANK NETWORK

2/13	INTRODUCED		
2/13	FIRST READING		
2/13	REFERRED TO FISH, WILDLIFE & PARKS		
2/13	FISCAL NOTE REQUESTED		
2/17	FISCAL NOTE RECEIVED		
2/18	HEARING		
2/19	COMMITTEE REPORT—BILL PASSED AS AMENDED		
2/19	FISCAL NOTE PRINTED		
2/20	REVISED FISCAL NOTE REQUESTED		
2/21	2ND READING PASSED	93	4
2/21	REVISED FISCAL NOTE RECEIVED		
2/21	REVISED FISCAL NOTE PRINTED		
2/22	AMENDED FISCAL NOTE PRINTED		
2/26	3RD READING PASSED	93	7
	TRANSMITTED TO SENATE		
3/04	FIRST READING		
3/04	REFERRED TO FISH & GAME		
3/11	HEARING		
3/15	COMMITTEE REPORT—BILL CONCURRED AS AMENDED		
3/19	2ND READING CONCURRED	50	0
3/20	3RD READING CONCURRED	49	1
	RETURNED TO HOUSE WITH AMENDMENTS		
4/12	2ND READING AMENDMENTS NOT CONCURRED	91	3
4/12	FREE CONFERENCE COMMITTEE APPOINTED		
4/16	HEARING		
4/17	FREE CONFERENCE COMMITTEE REPORT NO. 1		
4/18	2ND READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	51	48
4/19	3RD READING FREE CONFERENCE COMMITTEE REPORT NO. 1 REJECTED	45	52
4/21	RECONSIDERED PREVIOUS ACTION AND PLACED ON 3RD READING	56	43
4/21	MOTION FAILED TO TAKE FROM 3RD READING AND PLACE ON 2ND READING	46	53
4/21	3RD READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	58	41
	SENATE		
4/14	FREE CONFERENCE COMMITTEE APPOINTED		

4/17	FREE CONFERENCE COMMITTEE REPORT NO. 1		
4/18	2ND READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	31	15
4/19	3RD READING FREE CONFERENCE COMMITTEE REPORT NO. 1 ADOPTED	39	9
4/22	SIGNED BY SPEAKER		
4/25	SIGNED BY PRESIDENT		
4/25	TRANSMITTED TO GOVERNOR		
5/02	SIGNED BY GOVERNOR		
	CHAPTER NUMBER 523		
	EFFECTIVE DATE: 10/01/97		

HB 548 INTRODUCED BY PROUSE, ET AL. *LC0881 DRAFTER: HEIMAN*

SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AMENDMENTS TO THE MONTANA CONSTITUTION TO GENERALLY REVISE TAXATION BY PROHIBITING THE TAXATION OF INCOME AND PROPERTY

2/13	INTRODUCED		
2/13	FIRST READING		
2/13	REFERRED TO TAXATION		
3/04	HEARING		
3/07	TABLED IN COMMITTEE		
4/05	MISSED DEADLINE FOR 71ST DAY TRANSMITTAL		
	DIED IN COMMITTEE		

HB 549 INTRODUCED BY BERGSAGEL *LC0906 DRAFTER: EVERTS*

REQUIRE A COMPREHENSIVE REVIEW OF ELECTRICAL UTILITY INDUSTRY RESTRUCTURING

2/13	INTRODUCED		
2/13	FIRST READING		
2/13	FISCAL NOTE REQUESTED		
2/13	REFERRED TO APPROPRIATIONS		
2/18	FISCAL NOTE RECEIVED		
2/19	FISCAL NOTE PRINTED		
4/07	HEARING		
4/07	TABLED IN COMMITTEE		
	DIED IN COMMITTEE		

HB 550 INTRODUCED BY COCCHIARELLA *LC0285 DRAFTER: HEFFELFINGER*

REVISE AND CLARIFY WHAT ELECTIONS MAY BE CONDUCTED BY MAIL

2/13	INTRODUCED		
2/13	FIRST READING		
2/13	REFERRED TO STATE ADMINISTRATION		
2/18	HEARING		
2/20	COMMITTEE REPORT—BILL PASSED		
2/22	2ND READING PASSED	89	9
2/26	3RD READING PASSED	90	9
	TRANSMITTED TO SENATE		
3/04	FIRST READING		
3/04	REFERRED TO STATE ADMINISTRATION		
3/11	HEARING		
3/14	COMMITTEE REPORT—BILL CONCURRED		
3/17	2ND READING CONCURRED	49	0
3/18	3RD READING CONCURRED	48	1
	RETURNED TO HOUSE		
3/21	SIGNED BY SPEAKER		
3/21	SIGNED BY PRESIDENT		
3/21	TRANSMITTED TO GOVERNOR		

INTRODUCED BY

HOUSE BILL NO. 547

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT THE PROCEEDS FROM THE SALE OF PROPERTY SEIZED FROM A PERSON FOUND GUILTY OF ILLEGALLY KILLING A WILD ANIMAL OR GAME ANIMAL BE STATUTORILY APPROPRIATED TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR THE PURPOSES OF AWARDING GRANTS TO ENTITIES REPRESENTING MONTANA FOOD BANKS; REQUIRING THAT MEAT FROM AN ILLEGALLY TAKEN GAME ANIMAL SEIZED BY GAME WARDENS BE EITHER DONATED DIRECTLY TO ENTITIES REPRESENTING FOOD BANKS OR SOLD, WITH THE PROCEEDS GOING TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES; AND AMENDING SECTIONS 17-7-502, 87-1-506, AND 87-1-513, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 17-7-502, MCA, is amended to read:

"**17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 3-5-901; 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-23-706; 15-30-195; 15-31-702; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 16-11-308; 17-3-106; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 17-6-101; 17-6-201; 17-7-304; 18-11-112; 19-2-502; 19-6-709; 19-9-1007; 19-17-301; 19-18-512; 19-18-513; 19-18-606; 19-19-205; 19-19-305; 19-19-506; 20-8-107; 20-8-111; 20-9-361; 20-26-1503; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 32-1-537; 37-43-204; 37-51-501; 39-71-503;

39-71-907; 39-71-2321; 39-71-2504; 44-12-206; 44-13-102; 50-4-623; 50-5-232; 50-40-206; 53-6-[illegible] 53-6-703; 53-24-206; 60-2-220; 67-3-205; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-12-[illegible] 80-2-103; 80-2-222; 80-4-416; 81-5-111; 82-11-136; 82-11-161; 85-1-220; 85-20-402; 87-1-[illegible] 90-3-301; 90-4-215; 90-6-331; 90-7-220; 90-7-221; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issu[illegible] paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and is[illegible] pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-10[illegible] determined by the state treasurer, an amount sufficient to pay the principal and interest as due on [illegible] bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to se[illegible] 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible [illegible] supplemental benefit; and pursuant to sec. 7(2), Ch. 29, L. 1995, the inclusion of 15-30-195 termina[illegible] July 1, 2001.)"

Section 2. Section 87-1-506, MCA, is amended to read:

"87-1-506. Enforcement powers of wardens. (1) A warden may:

~~(1)~~(a) serve a subpoena issued by a court for the trial of a violator of the fish and game laws;

~~(2)~~(b) search, without a warrant, any tent not used as a residence, any boat, vehicle, box, locker, basket, creel, crate, game bag, or package, or their contents upon probable cause to believe that any fish and game law or department rule for the protection, conservation, or propagation of game, fish, birds, or fur-bearing animals has been violated;

~~(3)~~(c) search, with a search warrant, any dwelling house or other building;

~~(4)~~(d) seize game, fish, game birds, and fur-bearing animals and any parts of them taken or possessed in violation of the law or the rules of the department;

~~(5)~~(e) seize and hold, subject to law or the orders of the department, devices ~~which~~ that have been used to unlawfully take game, fish, birds, or fur-bearing animals;

~~(6)~~(f) arrest, in accordance with Title 46, chapter 6, a violator of a fish and game law or rule of the department, violation of which is a misdemeanor;

~~(7)~~(g) enforce the disorderly conduct and public nuisance laws, ~~(45-8-101 and 45-8-111)~~, as they apply to the operation of motorboats on all waters of the state;

~~(8)~~(h) as provided for in 37-47-345, investigate and make arrests for violations of the provisions of Title 37, chapter 47, and of any rules adopted pursuant to that chapter relating to the regulation of outfitters and guides in the state; and

~~(9)~~(i) exercise the other powers of peace officers in the enforcement of the fish and game laws, the rules of the department, and judgments obtained for violation of those laws or rules.

(2) The meat of game animals that are seized pursuant to subsection (1)(d) must be either donated directly to entities representing food banks in this state or sold pursuant to 87-1-511, with the proceeds to be distributed as provided in 87-1-513."

Section 3. Section 87-1-513, MCA, is amended to read:

"**87-1-513. Disposition of proceeds of sale.** (1) The money obtained upon the sale of seized property must be retained and accounted for by the department when the person having the property in possession at the time of seizure is prosecuted or when a prosecution of the person is pending. If the person charged with violation of the law is found guilty of or forfeits bond for violation of the fish and game laws of the state, the money received for the sale of seized property must be paid over to the state treasurer and be deposited in the state special revenue fund to the credit of the ~~fish and game fund~~ department of public health and human services for the purposes of awarding grants to entities representing food banks in this state. If the party from whom the property was taken is not found guilty of any violation of the fish and game laws of this state, the money must be paid to the party from whom the game birds, wild animals, fish, or parts or portions thereof were taken. An officer is not liable for any damage on account of any search, examination, seizure, or sale. When wild animals, game birds, or fish are seized as provided in this part and the person or persons who killed or captured the wild animals, game birds, or fish cannot be ascertained or when the animals sold were killed pursuant to 87-1-225, then the money received from the sale of the wild animals, game birds, or fish must be paid directly to the state treasurer. The cost of advertising notice of sale, as required by 87-1-511, must be paid from the fish and game fund.

(2) The proceeds from the sale of seized property deposited in the state special revenue fund pursuant to subsection (1) are statutorily appropriated, as provided in 17-7-502, to the department of public health and human services for the purposes of awarding grants to entities representing food banks in this state."

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0547, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:
A bill requiring that the proceeds from the sale of property seized from a person found guilty of illegally killing a wild animal or game animal be statutorily appropriated to the Department of Public Health and Human Services for the purposes of awarding grants to entities representing Montana food banks.

ASSUMPTIONS:
In FY96, sale proceeds from confiscated animals totaled $72,000. It is estimated that $72,000 will be collected each year of the 1999 biennium.
All proceeds collected will be granted to food banks.
The funds normally received and collected by Fish, Wildlife and Parks (FWP) will now be received and expended by Public Health and Human Services.

FISCAL IMPACT:
The statewide fiscal impact of this bill is zero.

TECHNICAL NOTES:
The bill allows FWP to either donate or auction confiscated game. Section 87-1-512, MCA, currently allows FWP to only donate unsold carcasses to public institutions. This statute should be amended to allow FWP the option to donate prior to a confiscated game sale.

Dave Lewis 2-17-97
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

WILLIAM REHBEIN, PRIMARY SPONSOR DATE

HOUSE FISH, WILDLIFE & PARKS

BILL NO	REFERRED	HEARING	OTHER CONSIDERATION DATES	EXECUTIVE ACTION/DATE/VOTE	REREFERRED	DATE READ
HB0247	HARPER, HAL		REMEDIAL CONSERVATION EDUCATION PROGRAM FOR NONVIOLENT FISH & GAME OFFENSES			
	1/14	1/30		TABLED ON 02/11 VOTE: 19-0		
HB0265	MOLNAR, BRAD		REVISE SPECIAL ELK PERMIT LAWS			
	1/15	1/28		PASS AS AMENDED 02/11 VOTE: 14-5		2/19
HB0271	HARPER, HAL		INCREASE PENALTY FOR ILLEGAL FISH INTRODUCTION			
	1/15	1/30		PASS AS AMENDED 01/31 VOTE: 17-2		1/31
HB0289	PAVLOVICH, BOB		4-DAY LEGION OF VALOR FREE FISHING			
	1/17	2/04		PASS AS AMENDED 02/04 VOTE: 19-0		2/05
HB0307	JORE, RICK		REVISE STATE-TRIBAL HUNTING AND FISHING			
	1/21	2/06		TABLED ON 02/11 VOTE: 10-9		
HB0360	MENAHAN, RED		PROHIBIT HARASSMENT OF ANGLERS & BIRD HUNTERS			
	1/25	2/04		PASS AS AMENDED 02/06 VOTE: 18-1		2/07
HB0387	SIMON, BRUCE		PUBLIC NOTIFICATION OF FISH STOCKING			
	1/29	2/13		PASS AS AMENDED 02/18 VOTE: 19-0		2/19
HB0404	REHBEIN, WILLIAM		FWP WILDLIFE CONSERVATION PREDATOR CONTROL PROGRAM			
	1/31	2/11		TABLED ON 02/13 VOTE: 19-0		
HB0413	KNOX, DICK		HUNTING & FISHING LAW VIOLATORS ETHICS EDUCATION PROGRAM			
	1/31	2/06		PASS AS AMENDED 02/11 VOTE: 14-4		2/12
HB0482	SANDS, DIANE		PROHIBIT USE OF WORD "SQUAW" FOR PUBLIC AREAS AND FEATURES			
	2/07	2/13	02/20	TABLED ON 02/18 VOTE: 11-8		
HB0520	SWANSON, EMILY		BLOCK MANAGEMENT AREA HUNTING PERMIT			
	2/11	3/06		TABLED ON 03/11 VOTE: 11-6		
HB0547	REHBEIN, WILLIAM		SEIZED GAME ANIMAL MEAT OR SALE PROCEEDS TO FOOD BANK NETWORK			
	2/13	2/18		PASS AS AMENDED 02/18 VOTE: 16-3		2/19

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH, WILDLIFE, & PARKS

Call to Order: By **CHAIRMAN DOUGLAS T. WAGNER**, on February 18, 1997, at 3:00 P.M., in Room 312-1.

ROLL CALL

Members Present:

Rep. Douglas T. Wagner, Chairman (R)
Rep. William Rehbein, Jr., Vice Chairman (Majority) (R)
Rep. Emily Swanson, Vice Chairman (Minority) (D)
Rep. Shiell W. Anderson (R)
Rep. Haley Beaudry (R)
Rep. Marian W. Hanson (R)
Rep. Hal Harper (D)
Rep. Chase Hibbard (R)
Rep. Dick Knox (R)
Rep. Rod Marshall (R)
Rep. Brad Molnar (R)
Rep. Robert J. "Bob" Pavlovich (D)
Rep. Bob Raney (D)
Rep. Robert R. "Bob" Ream (D)
Rep. Diane Sands (D)
Rep. Paul Sliter (R)
Rep. Bill Tash (R)
Rep. Allan Walters (R)
Rep. Jack Wells (R)

Members Excused: None.

Members Absent: None.

Staff Present: Doug Sternberg, Legislative Services Division
Alberta Strachan, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 547 (2/13/97); HB 570 (2/17/97).
Executive Action: HB 387; HB 547; HB 236; HB 265; HB 186; HB 482; HB 570.

HEARING ON HB 547

Opening Statement by Sponsor: **REP. BILL REHBEIN**, H.D. 100 introduced the bill.
{Tape: 1; Side: 1; Approx. Time Count: 2.6.}

Proponents' Testimony:

Peggy Grimes, Montana Food Bank Network, Missoula.
{Tape: 1; Side: 1; Approx. Time Count: 4.1.}

Patrick E. Flaherty, Helena Food Bank.
{Tape: 1; Side: 1; Approx. Time Count: 8.7.}

REP. BILL CAREY, H.D. 67, Director, Montana Food Bank, Missoula.
{Tape: 1; Side: 1; Approx. Time Count: 10.6.}

Dick Rule, Butte Emergency Food Bank.
{Tape: 1; Side: 1; Approx. Time Count: 12.4.}

Tara Mele, Montana Public Interest Research Group. EXHIBIT 1.
{Tape: 1; Side: 1; Approx. Time Count: 15.4.}

Opponents' Testimony: None.
{Tape: 1; Side: 1; Approx. Time Count: 16.0.}

Informational Testimony:

Patrick Graham, Director, Department of Fish, Wildlife & Parks. EXHIBIT 2.
{Tape: 1; Side: 1; Approx. Time Count: 16.4.}

James Nolan, Chief, Intergovernmental Human Services, Department of Public Health and Human Services.
{Tape: 1; Side: 1; Approx. Time Count: 20.4.}

Questions From Committee Members and Responses:
{Tape: 1; Side: 1; Approx. Time Count: 21.4.}

Closing by Sponsor: **REP. REHBEIN** closed on the bill.
{Tape: 1; Side: 1; Approx. Time Count: 30.7.}

CHAIRMAN WAGNER relinquished the chair to **VICE-CHAIRMAN REHBEIN.**

HEARING ON HB 570

Opening Statement by Sponsor: **REP. DOUGLAS T. WAGNER,** H.D. 83 introduced the bill.
{Tape: 1; Side: 1; Approx. Time Count: 33.0.}

Proponents' Testimony: None.
{Tape: 1; Side: 1; Approx. Time Count: 35.6.}

Opponents' Testimony:

Roy Andes, Montrust.
{Tape: 1; Side: 1; Approx. Time Count: 36.0.}

EXECUTIVE ACTION ON HB 547

Motion: **REP. REHBEIN MOVED HB 547 DO PASS.**
{Tape: 2; Side: 1; Approx. Time Count: 3.5.}

Discussion:
{Tape: 2; Side: 1; Approx. Time Count: 4.1.}

Motion: **REP. REHBEIN** moved to adopt the Fish, Wildlife & Parks amendments.
{Tape: 2; Side: 1; Approx. Time Count: 8.0.}

Motion: **REP. SLITER** suggested segregating the No. 2 amendment and withdrew the suggestion.
{Tape: 2; Side: 1; Approx. Time Count: 8.4.}

Discussion:
{Tape: 2; Side: 1; Approx. Time Count: 10.6.}

Vote: Question was called. Motion carried 18-1 to adopt the FWP amendments with **REP. HARPER** voting no and **REP. SWANSON** voting by proxy.
{Tape: 2; Side: 1; Approx. Time Count: 11.6.}

Motion/Vote: **REP. REHBEIN** moved the Rehbein conceptual amendment. Motion carried unanimously 19-0 with **REP. SWANSON** voting by proxy.
{Tape: 2; Side: 1; Approx. Time Count: 12.7.}

Motion/Vote: **REP. REHBEIN MOVED HB 547 DO PASS AS AMENDED.** Question was called. Motion carried 16-3 on a roll call vote with **REP. HARPER, HIBBARD and REAM** voting no and **REP. SWANSON** voting by proxy.
{Tape: 2; Side: 1; Approx. Time Count: 14.9.}

CHAIRMAN WAGNER relinquished the chair to **VICE-CHAIRMAN REHBEIN.**

EXECUTIVE ACTION ON HB 570

Motion: **REP. SLITER MOVED HB 570 DO PASS.**
{Tape: 2; Side: 1; Approx. Time Count: 17.2.}

Discussion:
{Tape: 2; Side: 1; Approx. Time Count: 17.5.}

Motion/Vote: **REP. MOLNAR** moved to adopt the Molnar amendment. Question was called. Motion failed 6-12 on a roll call vote with **REPS. HARPER, HIBBARD, MOLNAR, REAM, WALTERS** and **ANDERSON** voting yes and **REP. SWANSON** not voting.
{Tape: 2; Side: 1; Approx. Time Count: 30.9; Comments: .}

SENATE FISH & GAME

- BILL NO - REFERRED - HEARING - OTHER CONSIDERATION DATES - EXECUTIVE ACTION/DATE/VOTE ------- REREFERRED ---- DATE READ

HB0547	REHBEIN, WILLIAM	SEIZED GAME ANIMAL MEAT OR SALE PROCEEDS TO FOOD BANK NETWORK				
	3/04	3/11		CONCUR AS AMENDED 3/04 VOTE: 7:3		3/15
SB0052	CRISMORE, WILLIAM	CLARIFY FWP COMMISSION AUTHORITY RE MOUNTAIN LION & BOBCAT CHASE SEASONS				
	1/03	1/14		DO PASS 1/16 VOTE: Unan.		1/17
SB0060	SPRAGUE, MIKE	REVISE FISH & GAME LICENSING AND LICENSE AGENT PROVISIONS				
	1/03	1/14		PASS AS AMENDED 1/16 VOTE: 9:1		1/17
SB0063	FOSTER, MIKE	FREE FISHING DAY FOR ANGLER EDUCATION EVENTS				
	1/03	1/09		PASS AS AMENDED 1/16 VOTE: Unan.		1/17
SB0091	GROSFIELD, LORENTS	PARK RANGER RESERVE PROGRAM				
	1/03	1/09		TABLED ON 01/16 VOTE: Unan.		
SB0115	NELSON, LINDA	ALLOW RESIDENTS OF SPECIFIED CARE FACILITIES TO FISH WITHOUT A LICENSE				
	1/03	1/14		PASS AS AMENDED 1/16 VOTE: Unan.		1/17
SB0149	BISHOP, AL	REVISE RECREATIONAL AND COMMERCIAL USE OF PUBLIC WATERS				
	1/09	1/23		PASS AS AMENDED 1/28 VOTE: 9:1		1/29
SB0174	HARP, JOHN	ALLOW MARKET AND SALE OF LAKE TROUT CAUGHT IN SPECIFIED WATERS				
	1/14	1/21		TABLED ON 01/28 VOTE: Unan.		
SB0287	CRISMORE, WILLIAM	REVISE HUNTING, FISHING, AND TRAPPING PENALTIES				
	2/05	2/11		PASS AS AMENDED 2/20 VOTE: 7:3		2/21
SB0292	GROSFIELD, LORENTS	FWP BUDGET REPRIORITIZATION; REPORT TO LEGISLATURE				
	2/06	2/13		NO ACTION TAKEN 2/20 VOTE: 6:4		
SB0351	DEVLIN, GERRY	PRORATE LANDOWNER BENEFITS WHEN HUNTING ACCESS GRANTED BY MORE THAN 1 OWNER				
	2/13			CANCELED BY SPONSOR VOTE:		
SB0352	DEVLIN, GERRY	REQUIRE SIGNING OF PROPERTY IN & MAPS OF LAND IN HUNTING ENHANCEMENT PROG				
	2/13			CANCELED BY SPONSOR VOTE:		

MINUTES

MONTANA SENATE
55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH & GAME

Call to Order: By **CHAIRMAN AL BISHOP**, on March 11, 1997, at 3:45 p.m., in Room 402

ROLL CALL

Members Present:

Sen. Al Bishop, Chairman (R)
Sen. Loren Jenkins, Vice Chairman (R)
Sen. Vivian Brooke (D)
Sen. William S. Crismore (R)
Sen. Steve Doherty (D)
Sen. Bea McCarthy (D)
Sen. Kenneth "Ken" Mesaros (R)
Sen. Ken Miller (R)
Sen. Mike Taylor (R)
Sen. Daryl Toews (R)

Members Excused: None

Members Absent: None

Staff Present: Leanne Kurtz, Legislative Services Division
Serena Andrew, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 387 & HB 547
Posted 3/7/97
Executive Action: None

HEARING ON HB 387

Sponsor: **REPRESENTATIVE BRUCE SIMON, HD #18, Billings**

Proponents: **Pat Graham, Director, Department of Fish, Wildlife & Parks**
George Ochenski

Opponents: None

{Tape: 1; Side: A; Approx. Time Count: 3:45}

years, the cost was expected to be about $7500, plus printing and postage of an estimated 1000 copies.

SENATOR McCARTHY commented that she had been given a current planting printout and the first stream was identified by a word. She asked just what changes would occur if the bill passed.

Larry Peterman, Administrator, Fisheries Division, DFWP, said the department's 5-year plan has a code that goes with it because the report is in numbers. The bill calls for additional information on the source of eggs and identification of the hatchery where the fish would be raised, the reason for stocking and the expected result. It would be necessary to expand the format of the existing report to include that information.

CHAIRMAN AL BISHOP asked if DFWP stocked prey species as well as sport fish. **REPRESENTATIVE SIMON** said he didn't think they stocked anything but sport fish. **Mr. Peterman** said most plantings are sport fish but sometimes forage fish are planted, particularly in a warmwater fishery. At present, the introduction of cisco into Tiber Reservoir is being considered.

SENATOR LOREN JENKINS mentioned that the second DFWP amendment changed the language to "sport fish." **Mr. Peterman** said that was for the number of existing fish species in the body of water to be stocked.

{Tape: 1; Side: A; Approx. Time Count: 4:11}

Closing by Sponsor:

REPRESENTATIVE SIMON stated that HB 387 was a simple bill, but important. Whirling disease is in Montana; the department obtains fish from numerous sources outside the state, and people should be able to find out where they came from.

HEARING ON HB 547

Sponsor: **REPRESENTATIVE WILLIAM REHBEIN, JR., HD #100, Lambert**

Proponents: **Patrick E. Flaherty, Montana Food Bank Network**
Richard B. Rule, Butte Food Bank
Betty Waddell, Montana Association of Churches
Jim Meldrum, Department of Health & Human Services

Opponents: **Jim Bradford, President, Montana Bowhunters Association**

Opening Statement by Sponsor:

REPRESENTATIVE WILLIAM REHBEIN told the committee HB 547 was a simple bill that merely requests money for the Food Bank Network. The Food Bank Network does good work feeding hungry people.

Proponents' Testimony:

Patrick Flaherty, Montana Food Bank Network, said the food banks have had trouble processing meat in the past. Processing costs about 35 cents/pound for wild game and 25 cents/pound for domestic animals. The Food Bank Network would use money resulting from this bill for processing fees. Money is particularly needed for smaller, volunteer food banks.

{Tape: 1; Side: A; Approx. Time Count: 4:16}

Dick Rule, Butte Food Bank, said the Food Bank Network is a coalition of 89 food banks and 51 feeding stations. Storage facilities are needed for food banks. This bill would furnish a source of funding and allow food banks to take advantage of missed opportunities. The food banks have been unable to accept a great deal of food because they were short of funds for storage or unable to arrange suitable hauling.

{Tape: 1; Side: A; Approx. Time Count: 4:19}

Betty Waddell, Montana Association of Churches, strongly supported the bill because there are so many hungry people.

{Tape: 1; Side: B; Approx. Time Count: 4:26}

Jim Meldrum, Department of Health and Human Services, (DHHS) said his department has had a 10-year relationship with the Food Bank Network and has found they target the people most in need of assistance. He supported the bill.

Opponents' Testimony:

Jim Bradford, President, Montana Bowhunters Association, opposed the bill. He makes yearly donations to local food banks and did not oppose the food bank concept, but asked how $30,000 from the DFWP budget would be replaced. Hungry people are a problem for all the people of Montana, not just sportsmen. He couldn't understand why there were so many bills to take money from DFWP. The Bowhunters Association has purchased two decoys for the department to use in its anti-poaching program and has added money to the Tipmont program for information on anyone breaking the law using a bow and arrow. There are already programs sportsmen would like to see implemented that DFWP can't fund. Also, the "Hunters for the Hungry" program already exists.

Informational Testimony:

{Tape: 1; Side: B; Approx. Time Count: 4:30}

Pat Graham said the department's goal would be strict adherence to hunting laws, and no confiscated game animals. Some

animals are confiscated, however, and certain costs are associated with the disposal of those carcasses. **EXHIBIT #4**

Questions From Committee Members and Responses:

SENATOR VIVIAN BROOKE asked if it would be necessary to set up an application process under this bill. **James Nolan, DHHS,** said the Food Bank Network was the only recipient named in the bill and merely signing a contract would suffice. No administrative funds would be taken.

SENATOR BROOKE asked **Mr. Rule** if he understood that the bill would only allow the food banks to use the funds for processing meat. **Mr. Rule** said he did.

SENATOR MESAROS said **Pat Graham** had indicated the department already offers animals to food banks, and asked how much meat they get. **Mr. Rule** said he didn't know. Butte is very fortunate because it has several facilities to store meat. Butte hunters donate animals, too. They were unable to accept bison, however, because they couldn't afford to process and store the meat.

SENATOR MESAROS asked **Mr. Bradford** to explain the "Hunters for the Hungry" program. **Jim Bradford** said he thought the outfitters ran that program and he knew there were several places that encourage people to donate part of their harvest to "Hunters for the Hungry." Individual sportsmen also donate a considerable amount of meat every year.

{Tape: 1; Side: B; Approx. Time Count: 4:38}

SENATOR MESAROS asked how DFWP would support Tipmont and other programs mentioned if they didn't get the $28,000/year expected to be lost under this bill.

SENATOR STEVE DOHERTY asked if DFWP would lose federal funding without this $28,000 and what would be cut, assuming it was already in the budget. **Mr. Graham** said it was not license money, per se, until it came into the DFWP account. The money would have to be transferred at the time of the sale. In terms of cuts, it would mean the department would have to dip into its general license account, and would do that until it's gone and then look at a fee increase.

SENATOR DOHERTY said the Food Bank Network was obviously a worthwhile program. This proposal would take $28,000 from DFWP; he asked if other agencies would also be required to donate that amount because it was a good program. **Mr. Nolan** said DHHS gives them every cent it can.

SENATOR DOHERTY asked if DHHS were willing to go into its General Fund monies for the food banks. **Mr. Nolan** said he wasn't sure he could do that.

SENATOR McCARTHY asked who currently pays for processing meat. **Mr. Rule** said processing fees are paid from their regular funds. **SENATOR McCARTHY** asked if food banks could be possible to get a lower rate from processing plants. **Mr. Rule** said some labor is donated by packing plants, but wild game does carry an extra cost.

{Tape: 1; Side: B; Approx. Time Count: 4:43}

SENATOR MIKE TAYLOR commented that many bison were killed this year and he wondered if that money had gone to DFWP. **Mr. Graham** said HB 547 applied only to confiscated game meat. Also, the bison program is administered by the Department of Livestock.

SENATOR LOREN JENKINS said present law allows DFWP to donate carcasses, and asked how many had been donated in the last year. **Mr. Graham** said it varies and he didn't know offhand. Bozeman and Butte always get some. The department gives food banks as much as they want; in fact, DFWP would rather give it to them than keep it in their own coolers.

SENATOR JENKINS told **Mr. Bradford** he knew Hunters for the Hungry was a good program. **Mr. Bradford** said he thought Hunters for the Hungry required meat to be processed before it was donated, but he wasn't sure.

{Tape: 1; Side: B; Approx. Time Count: 4:47}

Closing by Sponsor:

REPRESENTATIVE REHBEIN said the money going to food banks would free up some of their existing funding for other uses. The bill was amended in the House to allow the department to recoup its costs. He noted that there is a similar program in Glendive with paddlefish.

MINUTES

MONTANA SENATE
55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH & GAME

Call to Order: By **CHAIRMAN AL BISHOP**, on March 13, 1997, at 3:00 p.m., in Room 402

ROLL CALL

Members Present:
Sen. Al Bishop, Chairman (R)
Sen. Loren Jenkins, Vice Chairman (R)
Sen. Vivian Brooke (D)
Sen. William S. Crismore (R)
Sen. Steve Doherty (D)
Sen. Kenneth "Ken" Mesaros (R)
Sen. Ken Miller (R)
Sen. Mike Taylor (R)
Sen. Daryl Toews (R)

Members Excused: Senator Bea McCarthy

Members Absent: None

Staff Present: Leanne Kurtz, Legislative Services Division
Serena Andrew, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:
Hearing(s) & Date(s) Posted: HB 265, Posted 3/04/97
Executive Action: HB 212, HB 547, HB 387, HB 413
Discussion on Removing HB 175 from the Table

HEARING ON HB 265

Sponsor: **REPRESENTATIVE BRAD MOLNAR, HD #22, Laurel**

Proponents: None.

Opponents: **Jean Johnson, Executive Director, Montana Outfitters & Guides Association**
Jim Bradford, President, Montana Bowhunters Association

{Tape: 1; Side: A; Approx. Time Count: 3:15}

{Tape: 1; Side: A; Approx. Time Count: 3:48.}

EXECUTIVE ACTION ON HB 547

Amendments: HB 054701.alk and HB 054702.alk

Motion: **SENATOR VIVIAN BROOKE** moved HB 547 **BE CONCURRED IN.**

Discussion: **SENATOR BILL CRISMORE** said the first part of amendment HB 054702.alk **(EXHIBIT #5)** would allow DFWP to recoup the costs they incurred in the process of donating game meat to a food bank. The second part directs money resulting from the auction of confiscated game animals be used only for processing donated game animal meat.

Motion: **SENATOR CRISMORE** moved amendment HB 054702.alk.

SENATOR BROOKE asked if the costs incurred in donating game animal meat were for processing or transporting. **SENATOR CRISMORE** said the bill would direct DFWP to deduct all their actual costs.

Vote: The **DO PASS** motion on amendment HB 054702.alk **CARRIED.**

SENATOR STEVE DOHERTY commented that the bill was taking money out of the DFWP budget. He had amendment HB 054701.alk **(EXHIBIT #6)** prepared. It would apply to the Department of Livestock (DOL), and would include wild bison killed as part of the disease control project in the donation program. He thought any money left over from the disease control program should also be donated to food banks. After deducting the DOL's administrative costs and costs of the sale, DOL would have to give any remaining money to food banks.

Notion: **SENATOR DOHERTY** moved amendment HB 054701.alk.

Discussion: **SENATOR JENKINS** said he didn't think many bison would be killed after this year.

SENATOR MESAROS said it would be a great strain on the Department of Livestock to implement this amendment.

{Tape: 1; Side: B; Approx. Time Count: 3:58}

SENATOR CRISMORE asked if it would be more difficult to implement the bill if two departments were involved. **SENATOR DOHERTY** said he didn't think so - both departments would send leftover money to the Department of Health & Human Services (DHHS) and DHHS would implement the grants. He wasn't sure that there would be any money, but if there are hungry people in Montana, food banks should be funded. Bison are currently being donated to various other sources.

SENATOR MESAROS said the amendment states "after deducting administrative costs" and asked how administrative costs would be separated from other costs.

SENATOR DOHERTY said they could be the cost of the sale and the cost of donating game animal meat. He thought the department could figure its administrative costs - they would be the costs it wouldn't have without the disease control program.

{Tape: 1; Side: B; Approx. Time Count: 4:03.}

SENATOR MESAROS said he was against this amendment. It would create a real problem reacting to an issue the state shouldn't have.

SENATOR TAYLOR asked if anyone knew exactly how much it cost the Department of Livestock to kill a bison. **SENATOR DOHERTY** said in FY 96 it cost about $450/head. **SENATOR TAYLOR** said he thought the amendment was too complicated. **SENATOR DOHERTY** commented that it was no more complicated than taking money from DFWP.

SENATOR BROOKE asked if the amendment would have the potential to enhance the image of the state in the buffalo situation.

SENATOR JENKINS commented that most of the bison were currently donated to the Tribes, but by the time the animals come out of the park there isn't much left but bones and hide.

{Tape: 1; Side: B; Approx. Time Count: 4:07}

SENATOR DOHERTY commented that Montana's image would be even worse if money were being made on bison control. The amendment should add a positive image.

SENATOR MESAROS stated that the bison situation was a serious problem, it was not an image issue.

SENATOR BROOKE said she thought the problem was so severe that the present image would be hard to overcome. She said she was concerned with the amendment because it would be difficult to define administrative costs.

SENATOR DOHERTY said the language could be changed from "after deducting administrative costs" to the same language in the bill itself: "after the department's cost of conducting the sale is deducted."

Vote: **SENATORS DOHERTY, BROOKE and BISHOP** voted AYE; the remainder of the committee voted **NO** and the motion **FAILED**.

Motion: **SENATOR BROOKE** moved HB 547 **BE CONCURRED IN AS AMENDED.** **SENATOR DOHERTY** voted **NO**; the remainder of the committee voted **AYE** and the motion **CARRIED.**

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
55th LEGISLATURE - REGULAR SESSION

FREE CONFERENCE COMMITTEE ON HOUSE BILL 547

Call to Order: By CHAIRMAN LORENTS GROSFIELD, on April 16, 1997, at 1:30 P.M., in ROOM 108.

ROLL CALL

Members Present:
Rep. William Rehbein, Jr. (R)
Rep. Shiell Anderson (R)
Rep. Bill Carey (D)
Sen. Lorents Grosfield (R)
Sen. Linda J. Nelson (D)
Sen. Kenneth "Ken" Mesaros (R)

Members Excused: None

Members Absent: None

Staff Present: Leanne Kurtz, Staff Attorney
Jaelene Racicot, Secretary

EXECUTIVE ACTION ON HB 547

SEN. GROSFIELD explained the amendments. ***{Tape: 1; Side: A; Approx. Time Count: 0.}***

Motion: SEN. MESAROS MOVED TO AMEND HB 547. ***{Tape: 1; Side: A; Approx. Time Count: 4.2.}***

Discussion:

REP. REHBEIN stated he did not have a problem with the amendment. ***{Tape: 1; Side: A; Approx. Time Count: 5.9.}***

REP. CAREY asked Ms. Kurtz if the amendment was within the title of the bill. ***{Tape: 1; Side: A; Approx. Time Count: 6.5.}***

SEN. NELSON stated she would like recover some of the expenses of quarantining the bison. ***{Tape: 1; Side: A; Approx. Time Count: 7.3.}***

SEN. GROSFIELD asked Laurence Petersen, Department of Livestock, about the amendment dealing with the authority to quarantine. ***{Tape: 1; Side: A; Approx. Time Count: 7.8.}***

SEN. GROSFIELD asked Mr. Petersen about the plan to quarantine bison. ***{Tape: 1; Side: A; Approx. Time Count: 10.4.}***

SEN. MESAROS asked Mr. Petersen what the cost would be for a quarantine facility. ***{Tape: 1; Side: A; Approx. Time Count: 14.2.}***

SEN. MESAROS asked Mr. Petersen about the location desired for a quarantine facility. ***{Tape: 1; Side: A; Approx. Time Count: 15.9.}***

REP. ANDERSON asked Mr. Petersen to comment on the cost to state compared to the current program for the bison leaving the park. ***{Tape: 1; Side: A; Approx. Time Count: 17.2.}***

REP. ANDERSON asked Mr. Petersen what a live bison was worth. ***{Tape: 1; Side: A; Approx. Time Count: 19.2.}***

REP. ANDERSON asked Mr. Petersen what the bison were selling for that were auctioned off. ***{Tape: 1; Side: A; Approx. Time Count: 20.1.}***

SEN. GROSFIELD asked George Harris, Department of Livestock, what the total income and cost would be to operate the program. ***{Tape: 1; Side: A; Approx. Time Count: 20.7.}***

SEN. GROSFIELD asked Mr. Petersen if the Department of Livestock supported the amendment. ***{Tape: 1; Side: A; Approx. Time Count: 21.9.}***

SEN. GROSFIELD asked Mick Robinson, Governor's Office, if they would support the amendment. ***{Tape: 1; Side: A; Approx. Time Count: 22.8.}***

SEN. GROSFIELD asked Mr. Petersen if he had a per animal expense estimates on quarantine bison. ***{Tape: 1; Side: A; Approx. Time Count: 23.6.}***

SEN. GROSFIELD asked George Harris what the per animal cost would be. ***{Tape: 1; Side: A; Approx. Time Count: 25.7.}***

REP. ANDERSON asked Mr. Petersen the number of bison leaving the park and cost incurred. ***{Tape: 1; Side: A; Approx. Time Count: 27.0.}***

SEN. GROSFIELD asked Mr. Petersen if he had spending authority to build the quarantine. ***{Tape: 1; Side: A; Approx. Time Count: 29.0.}***

REP. CAREY asked Mr. Petersen when would they build the quarantine facility. ***{Tape: 1; Side: A; Approx. Time Count: 29.9.}***

SEN. GROSFIELD asked Jim Richard, Montana Wildlife Federation, to comment on the bill. ***{Tape: 1; Side: B; Approx. Time Count: 0.}***

REP. ANDERSON asked Mr. Richard how would the state pay for the cost of the capture and quarantine of bison other than through the sale of bison. ***{Tape: 1; Side: B; Approx. Time Count: 5.3.}***

SEN. MESAROS expounded on the purpose of the amendment. ***{Tape: 1; Side: B; Approx. Time Count: 7.2.}***

REP. REHBEIN commented on the proceeds from the sale of bison. ***{Tape: 1; Side: B; Approx. Time Count: 8.5.}***

SEN. GROSFIELD commented on the language on direct agency costs and overhead costs. ***{Tape: 1; Side: B; Approx. Time Count: 9.0.}***

REP. REHBEIN stated the Senate amendments were rejected because of the language dealing with the food bank organizations. ***{Tape: 1; Side: B; Approx. Time Count: 12.7.}***

REP. CAREY asked George Ochenski, Herd Tribal Bison Cooperative, to comment on the bill and the amendments. Mr. Ochenski asked for a provision in the bill to allow the tribes to participate in the program. ***{Tape: 1; Side: B; Approx. Time Count: 14.7.}***

(Tape recorder was unplugged)

SEN. GROSFIELD asked Mr. Ochenski to explain the intent of his amendment. ***{Tape: 1; Side: B; Approx. Time Count: 17.3.}***

SEN. GROSFIELD asked Mr. Ochenski if he wanted a quarantine on an Indian reservation in another state. ***{Tape: 1; Side: B; Approx. Time Count: 18.2.}***

REP. REHBEIN asked Mr. Petersen if they could enter into a relationship with the tribes. ***{Tape: 1; Side: B; Approx. Time Count: 19.1.}***

SEN. GROSFIELD said the free conference committee will meet again after today's floor adjournment.

Recess Time: 2:27 p.m.

SEN. GROSFIELD asked Ms. Kurtz to explain the different amendments. ***{Tape: 2; Side: A; Approx. Time Count: .8.}***

SEN. MESAROS asked Pat Graham, Department of Fish, Wildlife, & Parks, to explain the amendments. ***{Tape: 2; Side:A; Approx. Time Count: 3.7.}***

SEN. GROSFIELD asked Mr. Graham comment on the bill and the amendments. ***{Tape: 2; Side: A; Approx. Time Count: 5.7.}***

REP. CAREY asked Peggy Grimes, Missoula Food Bank Network, to comment on the three proposed amendments. ***{Tape: 2; Side: A; Approx. Time Count: 8.5.}***

SEN. GROSFIELD asked Peggy Grimes to clarify. ***{Tape: 2; Side: A; Approx. Time Count: 10.3.}***

SEN. GROSFIELD asked Ms. Kurtz if the word "process" was the correct terminology. ***{Tape: 2; Side: A; Approx. Time Count: 11.7.}***

Motion: REP. ANDERSON MOVED TO AMEND HB 547 (054707.ALK). ***{Tape: 2; Side: A; Approx. Time Count: 12.9.}***

Discussion:

REP. CAREY asked for a clarification on the amendment. ***{Tape: 2; Side: A; Approx. Time Count: 13.3.}***

SEN. GROSFIELD commented on the amendment. ***{Tape: 2; Side: A; Approx. Time Count: 14.8.}***

Vote: THE MOTION CARRIED UNANIMOUSLY. ***{Tape: 2; Side: A; Approx. Time Count: 15.3.}***

Discussion:

SEN. GROSFIELD asked Ms. Kurtz to explain an amendment. ***{Tape: 2; Side: A; Approx. Time Count: 16.6.}***

Motion: SEN. MESAROS MOVED TO AMEND HB 547 (54703.ALK). ***{Tape: 2; Side: A; Approx. Time Count: 19.3.}***

Discussion:

SEN. GROSFIELD asked Mr. Petersen if the state needed federal approval. ***{Tape: 2; Side: A; Approx. Time Count: 20.4.}***

REP. CAREY asked Mr. Petersen to comment on the amendment. ***{Tape: 2; Side: A; Approx. Time Count: 21.3.}***

REP. REHBEIN asked Mr. Petersen to comment on the costs with the program. ***{Tape: 2; Side: A; Approx. Time Count: 22.2.}***

REP. CAREY asked Ms. Kurtz what was the distinction between the costs in the amendment. ***{Tape: 2; Side: A; Approx. Time Count: 23.9.}***

SEN. GROSFIELD clarified the language and asked Ms. Kurtz to respond. ***{Tape: 2; Side: A; Approx. Time Count: 28.2.}***

REP. ANDERSON asked Mr. Ochenski to comment on how the tribes would participate. ***{Tape: 2; Side: B; Approx. Time Count: 0.}***

REP. ANDERSON asked for a clarification on the amendment. ***{Tape: 2; Side: B; Approx. Time Count: 2.2.}***

REP. CAREY asked REP. RANEY to comment on the amendment. ***{Tape: 2; Side: B; Approx. Time Count: 3.5.}***

REP. RANEY asked SEN. GROSFIELD about statement of intent. ***{Tape: 2; Side: B; Approx. Time Count: 4.2.}***

REP. REHBEIN stated the original intent of the bill was if the federal government did not come up with a solution. ***{Tape: 2; Side: B; Approx. Time Count: 6.8.}***

SEN. GROSFIELD stated this quarantine was an expensive alternative. ***{Tape: 2; Side: B; Approx. Time Count: 7.4.}***

SEN. NELSON stated the committee needed a statement of intent. ***{Tape: 2; Side: B; Approx. Time Count: 9.4.}***

SEN. GROSFIELD commented on the need of a statement of intent. ***{Tape: 2; Side: B; Approx. Time Count: 12.0.}***

SEN. GROSFIELD asked Ms. Kurtz to clarify. ***{Tape: 2; Side: B; Approx. Time Count: 13.3.}***

REP. CAREY asked Ms. Kurtz the original intent of the bill. ***{Tape: 2; Side: B; Approx. Time Count: 14.5.}***

SEN. GROSFIELD clarified the amendments. ***{Tape: 2; Side: B; Approx. Time Count: 17.0.}***

REP. REHBEIN stated the bill, in its current form, was not as favorable as when it came out of the House. ***{Tape: 2; Side: B; Approx. Time Count: 17.4.}***

SEN. GROSFIELD asked REP. REHBEIN to clarify his comments. ***{Tape: 2; Side: B; Approx. Time Count: 18.4.}***

Motion/Vote: SEN. MESAROS MOVED TO AMEND HIS MOTION TO INCLUDE ALL THE AMENDMENTS DISCUSSED IN HB 547. THE MOTION CARRIED UNANIMOUSLY. ***{Tape: 2; Side: b; Approx. Time Count: 20.3.}***

Discussion:

REP. CAREY wanted the committee to consider a technical amendment. ***{Tape: 2; Side: B; Approx. Time Count: 20.8.}***

Ms. Kurtz commented on the language. ***{Tape: 2; Side: B; Approx. Time Count: 21.4.}***

REP. CAREY explained what the Montana Food Bank Network. ***{Tape: 2; Side: B; Approx. Time Count: 22.4.}***

SEN. MESAROS asked REP. CAREY charitable organizations. ***{Tape: 2; Side: B; Approx. Time Count: 23.3.}***

SEN. NELSON asked Peggy Grimes about the Montana Food Bank Network. ***{Tape: 2; Side: B; Approx. Time Count: 24.0.}***

SEN. GROSFIELD clarified the language "charitable". ***{Tape: 2; Side: B; Approx. Time Count: 24.3.}***

Peggy Grimes explained the language "charitable" organizations. ***{Tape: 2; Side: B; Approx. Time Count: 26.5.}***

REP. ANDERSON asked Ms. Kurtz to comment. ***{Tape: 2; Side: B; Approx. Time Count: 27.5.}***

REP. CAREY clarified the language. ***{Tape: 3; Side: A; Approx. Time Count: 0.}***

Ms. Kurtz proposed a conceptual amendment. ***{Tape: 3; Side: A; Approx. Time Count: .6.}***

Motion/Vote: REP. CAREY MOVED TO AMEND HB 547. THE MOTION CARRIED WITH REP. NELSON NOT VOTING BECAUSE SHE WAS ABSENT. ***{Tape: 3; Side: A; Approx. Time Count: 21.8.}***

Motion/Vote: SEN. NELSON MOVED HB 547 DO CONCUR AS AMENDED. THE MOTION CARRIED UNANIMOUSLY. ***{Tape: 3; Side: a; Approx. Time Count: 5.7.}***